

## REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 through 8, 13, and 14 are pending, with Claims 1 and 5 being independent.

Claims 1, 2, 5, and 6 have been amended.

Claims 1 through 8, 13, and 14 were rejected under 35 U.S.C. § 103 over newly-cited U.S. Patent No. 5,206,739 (Miyaji) in view of U.S. Patent No. 6,184,922 B1 (Saito, et al.) and Official Notice. All rejections are respectfully traversed.

Claims 1 and 5 variously recite, *inter alia*, if it is determined by the control unit (Claim 1) or in the first determining step (Claim 5) that the external storage device is connected to the communication unit, enabling output of the image and sound data from the communication unit in response to the record start instruction, *in combination with* if it is determined by the control unit (Claim 1) or in the second determining step (Claim 5) that the internal recording unit becomes unable to record the image and sound data on the recording medium when the communication unit is outputting the image and sound data, disabling output of the image and sound data from the communication unit in response to the record stop instruction.

However, Applicant respectfully submits that none of Miyaji, Saito, et al., and Official Notice, even in the proposed combinations, assuming, *arguendo*, that the same could be combined, discloses or suggests at least the above-discussed claimed combinations of claimed features as recited, *inter alia*, in Claims 1 and 5. Further, the taking of Official Notice is respectfully traversed in the absence of a cited document. MPEP 2144.03. It is also respectfully submitted that there has been no showing of any indication of motivation in the cited documents

that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Daniel S. Glueck/  
Daniel S. Glueck  
Attorney for Applicant  
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200  
DSG/llp

DC\_MAIN 260661v1